

on five years of site data, the average design values (ADV) of the continuous PM₁₀ monitor are less than the site-specific critical design value (CDV). If the LMP criteria are no longer satisfied, Connecticut must develop a full maintenance plan to meet Clean Air Act requirements.

[70 FR 59663, Oct. 13, 2005]

§ 52.379 Control strategy: PM_{2.5}.

(a) Approval—Revision to the State Implementation Plan submitted by the Connecticut Department of Environmental Protection (DEP) on April 17, 2007, the revision is for the purpose of establishing early fine particulate (PM_{2.5}) transportation conformity emission budgets for the Connecticut portion of the New York–Northern New Jersey–Long Island, NY–NJ–CT PM_{2.5} nonattainment area. The April 17, 2007 revision establishes PM_{2.5} motor vehicle emission budgets for 2009 of 360 tons per year of direct PM_{2.5} emissions and 18,279 tons per year of NO_x emissions to be used in transportation conformity in the Connecticut portion of the New York–Northern New Jersey–Long Island, NY–NJ–CT PM_{2.5} nonattainment area.

(b) *Determination of Attainment.* EPA has determined, as of December 15, 2010, that the New York–Northern New Jersey–Long Island, NY–NJ–CT fine particle (PM_{2.5}) nonattainment area has attained the 1997 PM_{2.5} National Ambient Air Quality Standard. This determination, in accordance with 40 CFR 51.1004(c), suspends the requirements for this area to submit an attainment demonstration, associated reasonably available control measures, a reasonable further progress plan, contingency measures, and other planning SIPs related to attainment of the standard for as long as the area continues to attain the 1997 PM_{2.5} NAAQS.

(c) Approval—Submittal from the Connecticut Department of Environmental Protection, dated September 4, 2008, to address the Clean Air Act (CAA) infrastructure requirements for the 1997 PM_{2.5} National Ambient Air Quality Standard (NAAQS). This submittal is approved as meeting the requirements of sections 110(a)(2)(B), (C) (enforcement program only), (E)(i), (E)(iii), (F), (G), (H), (J) (consultation

and public notification only), (K), (L), and (M).

(d) Conditional Approval—Submittal from the Connecticut Department of Environmental Protection, dated September 4, 2008, to address the Clean Air Act (CAA) infrastructure requirements for the 1997 PM_{2.5} National Ambient Air Quality Standard (NAAQS). EPA is conditionally approving Connecticut's submittal with respect to CAA sections 110(a)(2)(A), (C) only as it related to the PSD program, (D)(ii), (E)(ii), and (J) only as it relates to the PSD program. This conditional approval is contingent upon Connecticut taking actions to meet requirements of these elements within one year of conditional approval, as committed to in letters from the state to EPA Region 1 dated June 15, 2012, and July 11, 2012.

(e) Approval—Submittal from the Connecticut Department of Environmental Protection, dated September 18, 2009, with supplements submitted on January 7, 2011, and August 19, 2011, to address the Clean Air Act (CAA) infrastructure requirements for the 2006 PM_{2.5} National Ambient Air Quality Standard (NAAQS). This submittal is approved as meeting the requirements of sections 110(a)(2)(B), (C) (enforcement program only), (E)(i), (E)(iii), (F), (G), (H), (J) (consultation and public notification only), (K), (L), and (M).

(f) Conditional Approval—Submittal from the Connecticut Department of Environmental Protection, dated September 18, 2009, with supplements submitted on January 7, 2011, and August 19, 2011, to address the Clean Air Act (CAA) infrastructure requirements for the 2006 PM_{2.5} National Ambient Air Quality Standard (NAAQS). EPA is conditionally approving Connecticut's submittal with respect to CAA sections 110(a)(2)(A), (C) only as it related to the PSD program, (D)(ii), (E)(ii), and (J) only as it relates to the PSD program. This conditional approval is contingent upon Connecticut taking actions to meet requirements of these elements within one year of conditional approval, as committed to in letters from the state to EPA Region 1 dated June 15, 2012, and July 11, 2012.

(g) *Determination of Attainment.* EPA has determined, as of December 31, 2012, that the New York–N. New Jersey–

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Long Island, NY-NJ-CT fine particle (PM_{2.5}) nonattainment area has attained the 2006 PM_{2.5} National Ambient Air Quality Standard. This determination suspends the requirements for this area to submit an attainment demonstration, associated reasonably available control measures, a reasonable further progress plan, contingency measures, and other planning SIPs related to attainment of the standard for as long as the area continues to attain the 2006 PM_{2.5} NAAQS.

[72 FR 50063, Aug. 30, 2007, as amended at 75 FR 69577, Nov. 15, 2010; 77 FR 63232, Oct. 16, 2012; 77 FR 76871, Dec. 31, 2012]

§ 52.380 Rules and regulations.

(a) All facilities owned, operated or under contract with the Connecticut Transportation Authority shall comply in all respects with Connecticut Regulations for the Abatement of Air Pollution sections 19-508-1 through 19-508-25 inclusive, as approved by the Administrator.

(b) For the purposes of paragraph (a) of this section the word "Administrator" shall be substituted for the word "Commissioner" wherever that word appears in Connecticut Regulations for the Abatement of Air Pollution sections 19-508-1 through 19-508-25 inclusive, as approved by the Administrator.

(c) The June 27 and December 28, 1979, February 1, May 1, September 8 and November 12, 1980, revisions are approved as satisfying Part D requirements under the following conditions:

(1)-(2) [Reserved]

(d) Non-Part D-No Action: EPA is neither approving nor disapproving the following elements of the revisions:

(1)-(2) [Reserved]

(3) The program to review new and modified major stationary sources in attainment areas (prevention of significant deterioration).

(4) Permit fees

(5) Stack height regulations

(6) Interstate pollution requirements

(7) Monitoring requirements

(8) Conflict of interest provisions.

(9) Use of 1 percent sulfur content fuel by the following residual oil burning sources, identified under § 52.370, paragraph (c)(18).

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(i) Northeast Utilities, HELCO Power Station in Middletown,

(10) Emergency Fuel Variance provisions of Regulation 19-508-19 (a)(2)(ii) identified under § 52.370 paragraph (c)(18).

(e) *Disapprovals.* (1) Regulation 19-508-19(a)(9) concerning coal use at educational and historical exhibits and demonstrations, identified under § 52.370, (c)(18).

(2) Regulation 19-508-19, subsection (a)(4)(iii)(C) and (a)(4)(iii)(E) concerning fuel merchants, identified under § 52.370, paragraph (c)(18).

[40 FR 23280, May 29, 1975, as amended at 45 FR 84787, Dec. 23, 1980; 46 FR 34801, July 6, 1981; 46 FR 56615, Nov. 18, 1981; 46 FR 62062, Dec. 22, 1981; 47 FR 763, Jan. 7, 1982; 47 FR 36823, Aug. 24, 1982; 47 FR 41959, Sept. 23, 1982; 47 FR 49646, Nov. 2, 1982; 47 FR 51129, Nov. 12, 1982; 48 FR 5724, Feb. 8, 1983; 50 FR 50907, Dec. 13, 1985; 65 FR 62623, Oct. 19, 2000]

§ 52.381 Requirements for state implementation plan revisions relating to new motor vehicles.

Connecticut must comply with the requirements of § 51.120.

[60 FR 4737, Jan. 24, 1995]

§ 52.382 Significant deterioration of air quality.

(a) The requirements of sections 160 through 165 of the Clean Air Act are not met, since the plan does not include approvable provisions for the NO₂ increments under the prevention of significant deterioration program.

(b) The increments for nitrogen dioxide promulgated on October 17, 1988 (53 FR 40671), and related requirements in 40 CFR 52.21 except paragraph (a)(1), are hereby incorporated and made part of the applicable implementation plan for the State of Connecticut.

[58 FR 10964, Feb. 23, 1993, as amended at 68 FR 11322, Mar. 10, 2003; 68 FR 74488, Dec. 24, 2003]

§ 52.383 Stack height review.

The State of Connecticut has declared to the satisfaction of EPA that no existing emission limitations have been affected by stack height credits greater than good engineering practice or any other prohibited dispersion techniques as defined on EPA's stack height regulations as revised on July 8,